

Application No.: 09/576,223

Docket No.: 20140-00238-US

REMARKS

Claims 1 and 21 have been amended.

Claims 1-21 are presently pending in the application.

Withdrawal of the rejection of claims 1-2, 4-11, 13-19 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Hall et al. (U.S. Pat. No. 6,138,119) in view of Fischer (U.S. Pat. No. 5,214,702) is requested.

As pointed out in the previous response, and as acknowledged on page 3 of the Office Action, the primary reference to Hall et al. (U.S. Pat. No. 6,138,119) fails to disclose any validating signature which is generated from rules and the message body according to a first key of a validating party, or a sealing signature generated from the header package and the sealed packages according to a second key belonging to the sealing party. The Office Action alleges that Fischer (U.S. Pat. No. 5,214,702) teaches a validating signature generated from the rules and the body according to a first key belonging to a validating party, and a sealing signature generated from the header package and the sealed packages according to a second key belonging to the sealing party. This observation is believed to be an error.

The reference to Fischer (U.S. Pat. No. 5,214,702) shows a system for using public key/signature crypto systems with an enhanced digital signature certification. The device is used to provide for a certificate of authority, so that a public key holder can be certified as authentic by a third party. The disclosed system specifies a digital authority defining data structure. The data structure has multiple fields which permit a hierarchy of certifications to be made to authenticate the use of a key by a party. A message is created which is digitally signed by all certifying parties. From this, message recipients may determine the digitally authorized defining data structure during a signature verification process. The disclosed system provides for levels of certification, so that more than one member of a hierarchy can certify the signature.

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Those aspects of Applicants claims which require a header package having rules defining sealed packages produced by a sealing party and all the remaining limitations of the rejected claims which require rules, remains undisclosed in the cited reference. As set forth in independent claim 1, 8, 14, 16 and 18, the rules must be provided which are used to specify the location for sealed packages, as well as to locate validity signature and the sealing signature key indicators, such as shown in FIG. 6 which remain undisclosed in the Fischer reference.

Accordingly, it is not seen how Fischer (U.S. Pat. No. 5,214,702) can be combined with Hall et al. (U.S. Pat. No. 6,138,119) to suggest any of the limitations of Applicants claims requiring rules be imbedded in a header package.

Withdrawal of the rejection of claims 3 and 20 under 35 U.S.C. § 103 as being unpatentable over Hall et al. (U.S. Pat. No. 6,138,119) in view of Fischer (U.S. Pat. No. 5,214,702) in view of Ginter (U.S. Pat. No. 6,185,683) is requested. As was noted previously, Fischer (U.S. Pat. No. 5,214,702) discloses a digital signature certification to authenticate the identity of a public key holder. In reviewing each of the figures and text of the reference, it is not seen where there are any rules contained in a header package, which identify the various packages and signatures which produce a contract. The rules determine which if any packages must be present. Each element of the rules points to the location of a required package, in order to define the contract. If the rules are not followed, the contract cannot be validated.

Fischer (U.S. Pat. No. 5,214,702) does not disclose any type of contract, and any kind of header package which contains rules to describe when the package is validated. The Ginter (U.S. Pat. No. 6,185,683) reference does not supply the foregoing features. While Ginter (U.S. Pat. No. 6,185,683) appears to be directed to a system for establishing the authenticity of a document, the concept of a digital file, having a header package with rules defining the sealed package as well as a validating signature generated from the rules does not appear to be disclosed in Ginter (U.S. Pat. No. 6,185,683). Accordingly, the combination of Ginter (U.S. Pat. No. 6,185,683) would not yield or disclose the rejected claims.

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Withdrawal of the rejection of claim 12 under 35 U.S.C. § 103 is being unpatentable over Hall et al. (U.S. Pat. No. 6,138,119) in view of Ginter (U.S. Pat. No. 6,185,683) further in view of Tedesco et al. (U.S. Pat. No. 6,282,523) is requested. The Tedesco et al. (U.S. Pat. No. 6,282,523) reference is directed to a banking device which communicates with an account holder device over telephone. The device is used to process checks drawn on a bank account. When a check is to be drawn on the account, the account can be effectively frozen for the amount in which the check is written, so that funds would be available at the time the check is processed.

The foregoing does not in any way relate to electronic contracts, or the processing of them, or in anyway help in identifying expired contracts as set forth in the rejected claims. Accordingly, the combination of the Tedesco et al. (U.S. Pat. No. 6,282,523) reference with the preceding references will not yield or disclose this subject matter.

In view of the foregoing, favorable reconsideration is believed to be in order

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0510, under Order No. 20140-00238-US from which the undersigned is authorized to draw.

Dated:

7/29/04

Respectfully submitted,

By



George R. Pettit, Reg. No. 27,369  
CONNOLLY BOVE LODGE & HUTZ LLP  
1990 M Street, N.W., Suite 800  
Washington, DC 20036-3425  
(202) 331-7111  
(202) 293-6229 (Fax)